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**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600**

#21

Banner & Witcoff Ltd.
1001 G Street, N.W.
Washington, DC 20001-4597

In re Application of
David L. Silverman, et al
Application No. 09/313,216
Filed: May 18, 1999

**NOTICE OF WITHDRAWAL
FROM ISSUE
UNDER 37 CFR 1.313(b)**

The above-identified application is withdrawn from issue after payment of the issue fee
Due to unpatenability of one or more claims. See 37 CFR 1.313(b)(3).

The above-identified application is hereby withdrawn from issue.

The issue fee is refundable upon written request. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of this application.

Telephone inquiries should be directed to John J. Love, Director, Technology Center 3600 at 703 308-1020.

The above-identified application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

John J. Love
John J. Love, Director
Technology Center 3600
703 308-1020

November 17, 2003
Re: Serial Number 09/313,216

THH

To Whom it may concern;

As can be seen on the attached PALM reports, PALM indicates that there is a Rule 312 amendment and a requirement for drawings.

In regard to the Rule 312 amendment, as can be seen form the contents (see attached), the instant application was allowed in November of 2000. A potential Rule 312 amendment was filed on December 01, 2000, however, the instant application was withdrawn for issue in February of 2002 and the December 01, 2000 amendment was address in the Office action mailed February 26, 2002 (paper number 14).

HENCE, THERE IS NO RULE 312 AMENDMENT IN THE INSTANT CASE FILE.

In regard to the drawing requirement, as can be seen form the contents (see attached);

A) on November 20, 2000, a requirement for new drawings was made in the Notice of Allowablility (paper number 10), where the new drawing must include the approved changes made on February 16, 2000 and August 30, 2000 and correcting the defects noted on the PTO-948 mailed September 16, 1999 (paper number 3).

B) on November 13, 2001, a requirement for new drawings was mailed, although no paper can be found that made this requirement.

C) on June 15, 2002, a requirement for new drawings was mailed, although no paper can be found that made this requirement.

D) on June 17, 2002, a requirement for new drawings was made in the Notice of Allowablility (paper number 17), where the new drawing must include the approved changes made on February 16, 2000 and August 30, 2000 and correcting the defects noted on the PTO-948 mailed September 16, 1999 (paper number 3).

E) on July 30, 2002, applicant submitted new drawings (paper number 18 1/2).

F) in response to the filling of formal drawings, the examiner issued a Supplemental Notice of Allowability on August 30, 2002 (paper number 18) which did not require new drawings, since the drawings filed July 30, 2002.

HENCE, THERE IS NO REQUIREMENT FOR FORMAL DRAWINGS IN THE INSTANT CASE FILE.

If Publications is going the return this case for further action by the examiner, then Publications must attached a letter that clearly indicates the nature of the action requested of the examiner so that the instant case may be issued as soon as possible.

2/1
OK
Spw
Publicatin

Edward Cosimano
EDWARD R. COSIMANO
PRIMARY EXAMINER